

July 22,2013

To: His Worship the Mayor  
and Members of City Council

Re: Wastewater Treatment Plant Petition For Referendum - 2013

**RECOMMENDATION**

That this report be received and filed.

**CONCLUSION**

On June 20,2013,-the City Clerk was publicly presented with a petition for a referendum in relation to the Wastewater Treatment Plant.

Pursuant to Section 106(1) of *The Cities Act*, if a council receives a petition signed by the number of electors equal to 10% of the population of the city on any matter within the jurisdiction of the council, the council shall submit the request to a vote of the electors in a referendum.

In accordance with the 2011 census data, in this instance, a petition would need to contain 19,310 valid signatures to be determined sufficient for a referendum. The petition, once verified, with 95% confidence and a 3% margin of error contained between 16,941 and 18,145 valid signatures and therefore the City Clerk has deemed the petition insufficient.

The decision of the City Clerk is final.

**BACKGROUND**

On June 20,2013, the City Clerk was publicly presented with a petition for a referendum in relation to the Wastewater Treatment Plant, the preamble of which read:

**WHEREAS** the Council of the City of Regina has voted to proceed with a 30-year public-private partnership (P3) for the design, construction, financing, operation and maintenance of a new wastewater treatment plant; and

**WHEREAS** the Council of the City of Regina has not appropriately consulted with the residents of Regina before making this decision, which will lock future Councils and taxpayers into a 30-year contract with a private company that will make a profit from the taxpayers\* investment; and

**WHEREAS** the Council of the City of Regina has failed to clearly inform the residents of Regina that the P3 project will cost the city more than if the project was publicly financed, even with funding from PPP Canada Fund;

**THEREFORE, WE THE UNDERSIGNED** hereby petition the Council of the City of Regina to put the following resolution to a binding vote of the electors in a referendum held in accordance with sections 106 to 112 of *The Cities Act*;

**BE IT RESOLVED THAT the Council of the City of Regina publicly finance, operate and maintain the new wastewater treatment plant for Regina through a traditional Design, Bid, Build (DBB) approach.**

The purpose of this report is to advise City Council that the petition submitted is insufficient.

## **DISCUSSION**

Petitions must be filed with the City Clerk within 90 days after the date on which the first signature is obtained on the petition. There are dates on the petition both before and after this 90 day period.

The petition as delivered contains 24,361 signatures, and all signatures appear on pages that contained the same purpose statement.

In accordance with Section 108 of *The Cities Act*, during the initial counting phase 4,289 were stricken from the petition. The City Clerk has no discretion in this regard as the Act clearly states in this section that names of petitioners shall be excluded as follows:

Printed surname and given names (or initial) incomplete or incorrect	435
Street addresses incomplete or incorrect	434
Date is not stated or incorrect (of this number 2,834 had no year included)	3,416
Signature is not witnessed (or witnessed own signature)	4

There were 20,072 signatures remaining on the petition after the initial counting phase.

The City of Regina does not enumerate prior to a municipal election, and instead uses voter registration at the time of voting, as allowed for in *The Local Government Election Act*. As a result, there is no voters' list. As one of the requirements for signature on the petition is that only electors of the City are eligible to be petitioners, a random sampling of petitioners was undertaken as outlined in *The Cities Act* Section 108(4) with the assistance of a statistician from the University of Regina.

Verification of 1,270 petitioners was attempted. 262 of these petitioners were not able to be reached or did not return repeated messages. The statistician has noted this represents a 20.6% non-reply rate, which is unusually high, even during the summer period. Notwithstanding, these 262 petitioners were not invalidated but rather were excluded from the sample size, which still remained legislatively and statistically appropriate.

Of the 1,008 remaining, the results are presented as follows:

Verified as valid	881
Street address incomplete or incorrect	46
Person didn't sign the petition	25
Person signed the petition more than once	19
Person was not a Canadian citizen	10
Person was not at least 18 years of age	3
Person did not reside at the address listed on petition	16
Person was not a resident of Regina for 3 consecutive months prior to signing	1
Person was not a resident of Saskatchewan for 6 consecutive months prior to signing	1
Person refused to verify information	6

The above represents a confidence level of 95% and a margin of error of 3%. That means that the proportion of the verified answers is 87.4%, so there is a 95% confidence that the true proportion of verified (valid) signatures lies between 84.4% (16,941) and 90.4% (18,145)

In his professional opinion, given the 20.6% non-response rate, the statistician believes the above calculations to be extremely generous, and offers that the true proportion of verified answers could well be as low as 69%. So again, with a 95% confidence level and 3% margin of error, the true proportion of verified (valid) signatures may well lay between 66% (13,248) and 72% (14,452).

Notwithstanding this extrapolation based on the non-response rate, between 16,941 and 18,145 valid signatures ultimately remain on the petition. The City Clerk has determined the petition to be insufficient.

In accordance with section 109(2), the City Clerk's determination is final.

#### **RECOMMENDATION IMPLICATIONS**

##### **Financial Implications**

None with respect to the recommendations of this report.

##### **Environmental Implications**

None with respect to the recommendations of this report.

##### **Policy and/or Strategic Implications**

None with respect to the recommendations of this report.

##### **Other Implications**

None with respect to the recommendations of this report.

##### **Accessibility Implications**

None with respect to the recommendations of this report.

#### **COMMUNICATIONS**

The main contact for the petition has been provided with a copy of the report.

City Council will accept submissions from parties wishing to appear at the Special meeting of City Council on July 22, 2013.

**DELEGATED AUTHORITY**

Determining the sufficiency of a petition is within the legislated authority of the City Clerk.

Respectfully submitted,

**Joni Swidnicki,  
City Clerk**

Report prepared by:  
Joni Swidnicki, City Clerk